

Add-On Item for General Government Committee Meeting of August 26, 2009

ITEM # _____

PREPARED BY: Christy L. Kinard

APPROVED BY: Christy L. Kinard
Assistant County Attorney

RESOLUTION AMENDING THE FY2010 OPERATING BUDGET OF THE SHELBY COUNTY ELECTION COMMISSION TO PROVIDE FUNDING IN THE AMOUNT OF \$603,558 FOR THE SPECIAL PRIMARY ELECTION ON OCTOBER 15, 2009 AND SPECIAL GENERAL ELECTION ON DECEMBER 1, 2009 TO FILL THE VACANCY IN SENATE DISTRICT 31 OF THE TENNESSEE GENERAL ASSEMBLY; APPROPRIATING SAID FUNDS; AND REQUESTING THE STATE TREASURY TO REIMBURSE SHELBY COUNTY FOR SAME AS REQUIRED BY LAW. THIS RESOLUTION AUTHORIZES THE EXPENDITURE OF \$603,558. SPONSORED BY COMMISSIONER JOE FORD.

WHEREAS, Paul Stanley tendered his resignation from Senate District 31 of the Tennessee General Assembly effective August 10, 2009; and

WHEREAS, In accordance with Tenn. Code Ann. § 2-14-102, the Shelby County Election Commission is required to hold a special election to fill vacancies in Senate District 31 upon receiving an order from the Governor to do so; and

WHEREAS, The Governor of the State of Tennessee issued a writ of election on August 21, 2009, in accordance with Tenn. Code Ann. § 2-14-202, setting October 15, 2009 as the date for the special primary election and December 1, 2009 for the special general election to fill the vacancy in Senate District 31; and

WHEREAS, Tenn. Code Ann. § 2-12-109(c) requires all expenses incurred by the Shelby County Election Commission or its members in the performance of its duties, including compensation of its employees and election officials, be paid by the State Treasury upon certification of said expenses by the Chairman and Secretary of the Election Commission; and

WHEREAS, The Shelby County Election Commission held a special meeting on August 19, 2009 and approved a resolution requesting the Shelby County Board of Commissioners to approve an amendment to the FY2010 Operating Budget in the amount of \$603,558 for the special state election and requesting the State Treasury to reimburse Shelby County Government for same in accordance with state law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSONERS OF SHELBY COUNTY, TENNESSEE, That the FY2010 Operating Budget for the Shelby County Election Commission is hereby amended to provide funding in the amount of \$603,558 for a special state election, as set forth in Exhibit "A," and said funds are hereby appropriated.

BE IT FURTHER RESOLVED, That the State Treasury is hereby requested to reimburse Shelby County Government for all expenses incurred by the Shelby County Election Commission for the special state primary election to be held on October 15, 2009 and special state general election on December 1, 2009 to fill the vacancy in Senate District 31 of the Tennessee General Assembly as required by state law.

BE IT FURTHER RESOLVED, That this resolution shall take effect in accordance with law, the public welfare requiring it.

A C Wharton, Jr., County Mayor

DATE: _____

ATTEST:

Clerk of County Commission

Adopted: _____